

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA, : Case No. 3:23-cr-00089
Plaintiff, : Judge Thomas M. Rose
v. :
JASON TUCKER, :
Defendant. :

FINAL ORDER OF FORFEITURE

Upon the United States' Motion for Final Order of Forfeiture and the Court's review of the record, the Court HEREBY FINDS THAT:

On January 5, 2024, the Court entered a Preliminary Order of Forfeiture (Doc. 31) finding that all right, title, and interest in the following property (the "subject property") had been forfeited to the United States pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c):

- A Taurus, model 38, revolver, bearing serial number VH33272, with any attachments and ammunition; and
- Miscellaneous ammunition, which is more particularly described as, 6 rounds of .38 caliber Federal ammunition, 17 rounds of 9mm Remington ammunition, and 192 rounds of Federal ammunition.

The Preliminary Order of Forfeiture also included a Smith & Wesson, model MP Shield, handgun, bearing serial number NEY1206, with magazine ("Smith & Wesson firearm"), which is further discussed below. (*Id.*)

The Court found that the defendant had an interest in the subject property and directed the United States to seize the subject property and to give notice of its intent to forfeit the property.

(*Id.*)

The United States gave electronic notice through the CM/ECF notification system of the Motion for Preliminary Order of Forfeiture to counsel for the defendant, and the defendant did not object to the forfeiture.

On February 21, 2024, the Court held the defendant's sentencing hearing and announced the forfeiture. (Doc. 34.) The Judgment establishes that the defendant shall forfeit certain property to the United States. (Doc. 35.)

The United States published notice of this forfeiture action and of its intent to dispose of the subject property in accordance with the law on an official internet government forfeiture site (www.forfeiture.gov) for at least 30 consecutive days, beginning on January 9, 2024. (Doc. 37.)

The United States sent direct written notice of the Preliminary Order of Forfeiture to all persons who reasonably appeared to be a potential claimant with standing to contest the forfeiture of the subject property in the ancillary proceeding, including Ebonie Taylor, Tionna Bates, and Kollin Saba. (Doc. 38.)

Kollin Saba ("the Petitioner") filed a petition with this Court asserting an interest in the Smith & Wesson firearm. (Doc. 39.) On or about June 17, 2024, the United States and the Petitioner entered into a Settlement Agreement in which the United States agreed to return the Smith & Wesson firearm and to dismiss the firearm from the Preliminary Order of Forfeiture because the firearm was stolen from the Petitioner. (Doc. 40.)

No other person or entity has filed a timely petition with the Court asserting any interest in the subject property or objecting to its proposed forfeiture. The Petitioner's interest in the Smith & Wesson firearm has been resolved through settlement.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. All right, title, and interest in the subject property is condemned and forfeited to the United States under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), and no right, title, or interest shall remain in any other person or entity.
2. The United States shall return the Smith & Wesson firearm to the Petitioner, Kollin Saba, in accordance with the Settlement Agreement (Doc. 40).
3. The United States shall dispose of the subject property in accordance with the law.
4. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Final Order of Forfeiture.

IT IS SO ORDERED.

s/Thomas M. Rose

Dated: August 5, 2024

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE